

# North Briarcliff Civic Association

Serving 1400 houses / condos and 1700 apartments  
in the Hawthorne Elementary school district and adjacent streets

Autumn 2009 Newsletter

2677 Flair Knoll Drive, Atlanta, GA 30345

## ANNUAL MEETING

*Be a participant, not just a spectator.  
It's better for your health and the health of your community.*

Tuesday, October 20, 2009

6:45 - 7:00 social; 7 - 9 pm meeting

Shallowford Presbyterian Church  
Heritage Hall

- ⇒ Summary of the past year's activities and accomplishments,
- ⇒ Election of a new board for the upcoming year [see page 6],
- ⇒ Vote on a proposed bylaws change [see page 6],
- ⇒ **TED RHINEHART, DEKALB DEPUTY CHIEF OPERATING OFFICER FOR INFRASTRUCTURE, will speak about road maintenance, traffic planning, stormwater management and more.**
- ⇒ Donations for the church's Food Pantry will be collected.

### USPS Delivery Problems -- SUMMER NEWSLETTER

That newsletter, containing several very important articles, can be found in the NBCA newsletter archives at [www.northbriarcliff.org](http://www.northbriarcliff.org) -- under "Communications".

In July, October, January and April, NBCA mails a paper copy to all single family homes & condos in the NBCA geographic area and drops off a stack of newsletters at apartment complexes. If your copy doesn't arrive, please let the editor know.

### -- NBCA Board, 2008-09 --

Larry Foster ..... 678-637-9227  
*president@northbriarcliff.org*  
*vp@northbriarcliff.org*  
*pdk@northbriarcliff.org*

Harrison Rogers..... 404-784-5400  
*treasurer@northbriarcliff.org*  
*schools@northbriarcliff.org*

Gary Powell..... 404-633-0189  
*secretary@northbriarcliff.org*

Ralph Carl ..... 770-723-1024  
*schools@northbriarcliff.org*

Jon Gordon ..... 404-235-0566  
*schools@northbriarcliff.org*

Michael Gross ..... 404-636-7887  
*nwatch@northbriarcliff.org*

Beth Nathan..... 404-315-7440  
*parks@northbriarcliff.org*  
*tabasco@northbriarcliff.org*  
*editor@northbriarcliff.org*

Betty Phillips..... 404-634-6498  
<zoning>  
<newsletter distribution>

### -- Board Meetings --

1<sup>st</sup> Wednesdays, 7:30 pm.  
Shallowford Presbyterian Church  
Open to all NBCA members  
Verify meeting details with president.



### -- Off Board --

June Buechner  
*gardens@northbriarcliff.org*

Linda Dahlke  
*database@northbriarcliff.org*

Kyle Johnson  
*webmaster@northbriarcliff.org*

Billie Sherrod  
*interchange@northbriarcliff.org*

Subscribe to listservs (Watch & General) at  
[www.northbriarcliff.org/Comm/listjoin.htm](http://www.northbriarcliff.org/Comm/listjoin.htm)

Send Neighborhood Watch items to  
[nwatch@northbriarcliff.org](mailto:nwatch@northbriarcliff.org)

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## NEIGHBORHOOD SAFETY

Call 911 if you see any suspicious activity or a crime in progress !!

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The August 4 Neighbors Night Out event held on Foster Ridge Court was incredibly successful in its first year, with more than 60 neighbors plus children enjoying the evening out – spending time with each other with loads of great food and grilling, and getting some social time with our ICP officer T D Rowe and visitors from the North Precinct, including Major Calhoun. The event was organized by the Brookdale/Foster Ridge NW – Sherry Treco-Jones and block captains Bridget Bassett, Cheryl Cashin, Deborah Donovan, Art Hansen, Brian Murphy, Beth Stevenson, Don Vick and Elizabeth Yates. Special thanks go to Foster Ridge Court neighbors for hosting the event, and big kudos to Cheryl and John Cashin and Joseph and Cindy Stark Reid for their time, grilling skills and gorgeous party set up! We're already working on the next neighborhood event!



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**For information on area crime and for crime-stopping ideas**, join the NBCA Watch listserv at <http://northbriarcliff.org/Comm/listjoin.htm> and send incident reports to [nwatch@northbriarcliff.org](mailto:nwatch@northbriarcliff.org) for distribution via that listserv.

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The NBCA Neighborhood Watch continues to expand its network to work with the police and help keep our neighborhoods safe. In fact, we now have seven new captains in these areas:

- Monica Hollingsworth – Sherbrooke / Melinda / Nancy / Sunset area
- Kimberly Jewel and Gayle Yeager – Lower Cravey
- Teresa Morris and Jim Leeper – Peyton
- Nicole Thorpe – Lower Flair Knoll / Lower Cosmos
- Michael Gross – Upper Flair Knoll
- Ann Woodard – Hawthorne Drive
- Elizabeth Yates and Sara Thrift – Overlook / Brookdale
- Maribel Herrera – Lake Flair Circle

**Welcome and THANKS to all of these wonderful volunteers!** We do need more neighborhood watch block captains – for underserved areas. We'll provide the orientation and support you need. If you are interested, call Michael Gross, NBCA neighborhood watch coordinator at 404-636-7887 or Sherry Treco-Jones at 678-592-7780. It does NOT take a lot of time.

**Also THANKS to our Volunteers In Patrol (VIPs), Arnold and Joan Kurth** (Cravey area), who work directly with police as they drive through neighborhoods (magnetic VIP sign on the vehicle), scanning for suspicious activity. Wave and thank them when you see them patrolling. We also need more VIPs like the Kurths. For more info, call 770-724-7550 or visit the DeKalb Police website at <http://www.dekalbpolice.com/vip.html>. You'll register with your precinct. NBCA is split between North and Center precincts. If you're not sure which precinct you're in, follow the Neighborhood Watch link off [www.northbriarcliff.org](http://www.northbriarcliff.org) to the District Split map.

**CHANGE IN COMMAND:** North Precinct has a new Commander: Major SW Waits, 404-297-4479. Assistant Precinct Commanders are Captain RK Ellison, 404-297-3814, and Captain DL Tracy, 404-297-3844.

-- Sherry Treco-Jones & Michael Gross, [nwatch@northbriarcliff.org](mailto:nwatch@northbriarcliff.org)

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## ZONING / DEVELOPMENT: PURE NIGHTCLUB LAWSUIT

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In September 2007, Pure Atlanta--a 10,000 sq. ft. nightclub serving alcohol until 4 a.m. on most nights--opened at the Williamsburg Village Shopping Center at the corner of Briarcliff and Clairmont Roads.

Strong neighborhood concerns immediately emerged to a nightclub at that location because of concerns about potential late-night noise, inadequate parking, misbehavior, and crime. Upon investigation, concerned citizens discovered that the DeKalb County zoning ordinance allowed restaurants to serve alcohol, but not a *nightclub* at that location (Pure had no kitchen) and therefore that the permit and certificate of occupancy authorizing the facility were invalid.

- In December 2007, the Sagamore Hills and Briarcliff Woods Civic Associations and Don Broussard, a Sagamore Hills board member, appeared before the DeKalb County Zoning Board of Appeals to contest the legality of the Certificate of Occupancy granted to the Pure Nightclub. The DeKalb Zoning Board of Appeals (ZBA) ruled that the particular use was a nightclub and not a restaurant and not legal under the current DeKalb County zoning code and it revoked the Certificate of Occupancy. However, DeKalb officials never acted to close the club after that decision.
- In January 2008, acting to avoid closure, Nile International Center, Inc., the owners of Pure, filed a lawsuit to overturn the decision of the ZBA, also suing the civic associations and Broussard. The suit argued that the civic associations and Broussard had no legal standing to appear before the Zoning Board of Appeals.
- On August 7, 2009, after two court hearings and legal filings, DeKalb Superior Court Judge Linda Hunter issued a ruling upholding the 2007 decision of the DeKalb ZBA and declaring that the civic associations' appeal had been properly heard by that body and that Pure received adequate notice under the DeKalb code. The Judge ruled that there was sufficient evidence to conclude that Pure Atlanta was a nightclub and that it was not permitted in C-1 zoning. The judge ordered DeKalb County to revoke the certificate of occupancy.

The DeKalb County attorney's office did not assist the neighborhoods in defending the decision of the county's own Zoning Board of Appeals. Ultimately, the neighborhoods spent \$19,000 in legal fees to defend their case. The North Briarcliff Civic Association contributed \$1,000 to the case, convinced that it addressed the critical issue of whether civic associations have a legal right to appeal enforcement issues on problems in their community.

- On September 10, 2009, DeKalb County Commissioner Jeff Rader reported: *"DeKalb County Government implemented a Superior Court decision to close Club Pure in the Williamsburg Village Shopping Center on Clairmont Road. In revoking Pure's Certificate of Occupancy as directed by the Court, the County places the business under the authority of a new County Ordinance I sponsored last year to restrict Late Night Establishments and Nightclubs in our neighborhoods."*
- On September 17, 2009, the Superior Court had to reissue its order of August 7, 2009, because of a clerical error, thus giving the Pure Nightclub thirty days to file an appeal.

Don Broussard stated: *"The neighborhoods continue to explore the legal options available to enforce our County zoning laws against a business that has now twice been found to be improperly permitted. But a precedent appears to be in the making that neighborhoods can appeal to a local zoning board to obtain enforcement of zoning laws without having to be immediately next door to the problem. That would be a good thing for all citizens everywhere in DeKalb County and throughout Georgia."*

-- Betty Phillips & Larry Foster, [zoning@northbriarcliff.org](mailto:zoning@northbriarcliff.org)

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**NBCA plans to survey neighborhood opinion using POLLING questions at [www.northbriarcliff.org](http://www.northbriarcliff.org), e.g. *What should the DeKalb County Board of Education do with Heritage School ?***

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## MARY SCOTT NATURE PRESERVE

11 undeveloped acres off Briarcliff just north of Shallowford, acquired by DeKalb in 2003 as greenspace; Master Plan in place

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Mary Scott Nature Preserve development was re-bid on the following schedule:

Aug 21: Project advertised for bids.

Aug 25: BOC recognizes and appropriates 2001 Park Bond Funds (\$77,222) for Mary Scott Nature Preserve.

These are previously committed funds, not new funds.

Aug 28: Pre-bid conference. Many vehicles were seen parked at the MSNP entrance gate.

Sept 3: Bids due

Revised scope includes:

- Removal of invasives
- Replanting/seeding of native species
- Tree planting 12-4" caliper trees
- 5' wide crushed slate trail
- Tot lot playground
- Parking (limited) and new drive entrance
- Signage
- 2 accessible picnic tables, 1 bike rack, 4 benches
- Interpretive signage

Three members of the Randolph Estates Garden Club walked Mary Scott Nature Preserve with Beth Nathan on the morning of September 10. The following things noted during that walk were reported to the Parks Dept.



- 1) **CAMPING?** What looked like a black tent turned out to be a grill cover on a folding chair when park police checked on it.
- 2) **LOSS of MARKERS.** Missing were trail flags and about 90% of the hand-made, durable metal plant markers from which had hung commercial-quality blue plastic tags, and 90% of the blue plastic tags that had hung from native trees & shrubs. The markers had been placed both for educational purposes and to identify where volunteers had planted spring ephemerals (now dormant and invisible to trail-makers). The markers had been placed to help those unfamiliar with Georgia woodlands to distinguish the gems among the clutter.
- 3) **INVASIVES beating out NATIVES:** The re-growth of bamboo, kudzu, wisteria and english ivy is disheartening; these invasives were treated several years back by the county. Places where volunteers had planted native plants (rescue plants donated by the Georgia Native Plant Society) aren't exactly brimming with those treasures. On the positive side, the privet hasn't taken over yet and where volunteers had cut back ivy on trees, the trees are still pretty clear.
- 4) **UNPLANNED PATHS APPEARING.** Recent park users have created trails in places that weren't part of the original (tentative/temporary) trail system laid out under DeKalb Parks guidance. Particularly of concern are those paths that head straight over terracing, tending to break down this fragile potential evidence of earlier agricultural activity; the terraces had been discussed as a possible subject for an interpretive sign.

The Parks Department was also reminded that

- people are standing ready to make donations to MSNP of time and money as needed, including an individual offer of funding for a bench;
- there was an intent to have a special planting of PennyMac hydrangea in the homestead area (where some non-native plants were to remain), as a nod to the fact that Penny McHenry (founder of the American Hydrangea Society) lived only a stone's throw from MSNP on Flair Knoll Drive, and was very familiar with the MSNP land.

-- Beth Nathan

**I really could use a community Co-Leader or two on this project.**

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## RE-IMAGINING the SHALLOWFORD CORRIDOR

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**PUBLIC MEETING DELAYED to Saturday, February 13** due to problems securing the desired venue on a fall Saturday. **Keep talking to your neighbors about your conceptual priorities** ... what's important in a designing a community and how our community, if you picture it as a village centered at I-85/Shallowford, is doing on those priorities. The NBCA summer newsletter, page 3, contained a list of possible priority items.

If this community was the best place you can imagine living, what pictures would the media take of it and what would they write about it?

Willing to help in phone tree publicity for this meeting or want to be involved in core group discussions? Contact [tabasco@northbriarcliff.org](mailto:tabasco@northbriarcliff.org). TaBaSCo = **T**ransform **a**nd **B**eautifuly **a**long the **S**hallowford **C**orridor

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### DEKALB LAUNCHES CodeRED EMERGENCY COMMUNICATIONS

*System Will Allow County to Communicate With Citizens During Disasters*

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**[9/23/09] DECATUR** – CEO Ellis announced today that DeKalb County has contracted with Emergency Communications Network (ECN) to license its CodeRED high-speed notification system that will provide DeKalb County Public Safety and Emergency Management officials the ability to quickly deliver time-sensitive messages via voice, email, and text to targeted areas or the entire county during emergency situations or disasters.

William "Wiz" Miller, Public Safety Director for DeKalb County, is encouraging citizens to add their calling information to the database system to ensure that citizens are included on the calling list when an emergency situation arises in the county. "The CodeRED system gives individuals and businesses the ability to add their own phone numbers directly into the system's database. Citizens should not assume that his or her phone number is already in the system," Miller said.

To sign up for CodeRED, individuals and businesses should log onto DeKalb County's website at [www.yourdekalb.com](http://www.yourdekalb.com) or [www.DeKalbCountyGA.GOV](http://www.DeKalbCountyGA.GOV) and follow the link to the "CodeRED Community Notification Enrollment" page. Required information includes; first and last name, street address (physical address, no P.O. boxes), city, state, zip code, and primary phone number. Additional phone numbers can be entered as well. Those without Internet access may call DeKalb County Emergency Management at 770-270-0413, Monday through Friday, (8:00 a.m. – 5:00 p.m.) to supply their information over the phone.

Businesses are encouraged to register for CodeRED, as well as all individuals who have unlisted phone numbers, who have changed their phone number or address within the past year, and those who use a cellular phone or VoIP phone as their primary number.

Director Miller explained, "CodeRED allows geographically based delivery, which means street addresses are required to ensure emergency notification calls are received by the proper individuals in a given situation. The system works for cell phones too, but we need to have an associated street address to provide relevant messages.

CodeRED gives those who want to be included in our emergency notification system an easy and secure method for inputting information. The data collected will only be used for emergency notification purposes."



North Fork Peachtree Creek near Shallowford, 9/21/09



Lake Flair, 9/22/09. Do you know where your railroad ties are?

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## Annual Meeting Materials: PROPOSED BYLAWS MODIFICATION

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The NBCA bylaws do not contain a clause allowing the removal of a non-participating board member. The following verbiage is proposed for addition to Article IV (Board of Directors). A vote on this proposal will take place at the NBCA 2009 Annual Meeting. Full bylaws are available at [www.northbriarcliff.org](http://www.northbriarcliff.org) under "About Us" / "Bylaws".

*A board member who misses three board meetings within a board year may be removed from the board by a two-thirds vote of the remaining board members.*

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## Annual Meeting Materials: SELECTION OF 2009-2010 NBCA BOARD

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**A full NBCA board has 12 members.** Send a further nomination to a current NBCA board member or make the nomination from the floor at Annual Meeting.

**Job qualifications:** Concern about the future of the community. Ability to work well with others. Big pluses: community communications skills, interest in bringing new ideas to the table, issue-oriented fire-in-the-belly.

A board member's term of volunteer service is one year (no term limits). Board members work on their choice of issue (not all issues get worked every year) and meet 2 hours face-to-face monthly to discuss progress and challenges.

Board meetings are scheduled at a regular date/time convenient to the board [see newsletter page 1].

**Officers are elected by the board from among themselves** at their first board meeting, typically in November.

### PROPOSED SLATE (to date) ... election held at Annual Meeting.

**name:** subdivision of residence since <year>; (board portfolio); life experience relevant to civic association leadership.

**Ralph Carl:** Canna Ridge; (schools/kids); Hawthorne Elementary School Advisory Council (2001-2006); Hawthorne PTA Rep. to Emory LaVista Parent Council (2002 to present); Hawthorne Rep. to Lakeside Cluster Group (2006 to present); Past board member & chair of Shallowford Presbyterian Preschool.

**Larry Foster:** Echo Lake area since 1986; (PDK) American history professor at Georgia Tech; Three children attended Hawthorne; NBCA President 1994-2003.

**Jon Gordon.** Flair Forest since 2004; (schools/kids) Prior experience with the Forrest Hills ( Decatur ) neighborhood association; Director of Georgia Tech Office of Assessment. Two children at Hawthorne Elementary.

**Michael Gross:** Flair Forest since 1999; (generalist, neighborhood watch); Neighborhood native; Property management professional.

**Beth Nathan:** Flair Forest since 1999; (systems: political, info, admin, and eco); Past president & past executive director of League of Women Voters of Georgia; NBCA president 2003-07; Database programmer; Current Commission District 2 representative on DeKalb's Greenspace/Bond Advisory Committee.

**Betty Phillips:** Flair Forest since 1969; (neighborhood integrity & value; zoning; newsletter distribution); NBCA founding member; Retired CPA; Community Council member.

**Gary Powell:** Sherbrooke Forest since 1992; (generalist); Recovering attorney; Publisher of business-to-business periodicals in visual communication industry.

**Harrison Rogers.** Echo Hills since 1988; (generalist; schools/kids); Past Communications Director Echo Hills Recreation Center, Residential Real Estate Associate Broker, Echo Hills Overlay volunteer.

**Billie Sherrod.** Sherbrooke Forest since 1981 (generalist); Past President Hoe & Grow Garden Club; NBCA Coordinator for I-85 Interchange project (2007-2009); Area Manager for DeKalb County Voter Registration and Elections (during elections); Retired State Education Administrator.

*We'll miss Rodney Zell on next year's board. Thanks, Rodney, for your energy and leadership !*

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***If you want to travel fast, go alone. If you want to travel far, go together.***

*Googled references say this is an African proverb.*

If you care what happens within your community (homes, businesses, roads, trees, kids, etc), make the effort to help formulate and execute plans to make things happen the way they should. Play OFFENSE, not DEFENSE. Everybody has times in their lives when their time and energy is entirely allocated, but there are lots of times when people have an hour a week to civic work if they so choose. Volunteer now !! For the board or for an off-board leadership role in the issue you see as most vital at this moment.

**Get involved in YOUR civic association .. North Briarcliff Civic Association.**

Current critical 'job' openings: community-wide neighborhood watch coordinators, newsletter layout artist, membership chair, new resident welcome committee, event/speaker planner and code enforcement chair.

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**If your mailing label doesn't indicate that you're a paid member , please join NOW !!**

**Mail the form below with your check – – – OR (new !!) –  
pay via credit card on the Membership page at [www.northbriarcliff.org/membership](http://www.northbriarcliff.org/membership)**

**North Briarcliff Civic Association membership.** Enclosed is my check for \$\_\_\_\_\_ covering  
2009 annual dues for my household (\$25) plus a donation of \$\_\_\_\_\_.

**I can help with** *(please circle):*

Newsletter or Website Layout/Design

Member recruitment/benefits

Issue/Concern: \_\_\_\_\_

Name(s): \_\_\_\_\_

Address: \_\_\_\_\_ Atlanta, GA 30345

Phone: (day) \_\_\_\_\_ (evening) \_\_\_\_\_

E-Mail(s): \_\_\_\_\_

*Phone #s and e-addresses are used only for NBCA purposes. Providing your e-address here does NOT  
subscribe you to NBCA e-mail lists (see above).*

Membership in the North Briarcliff Civic Association, Inc. may include all residents and owners of property within the Hawthorne Elementary School district and such other residents on bordering streets as may request inclusion. Neither dues nor donations are tax deductible.



**If you'd like to receive NBCA e-mails** about General News and/or Neighborhood Watch alerts, go to [www.northbriarcliff.org](http://www.northbriarcliff.org), click on the "starburst" and fill in the requested information. You can "unsubscribe" in the same way.

**Change of address = unsubscribe the old + subscribe the new.**

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## **"Entering Autos" or "Thefts" from Vehicles**

Provided by: DeKalb County Police Department to Promote Crime Awareness

**Be aware of the following items that, when left visible in unattended vehicles, primarily trigger Entering Autos (Thefts from Vehicles).**

- ⇒ G.P.S. Navigation systems
- ⇒ Laptop Computers
- ⇒ Digital Cameras
- ⇒ Other triggers include: purses, wallets, computer/brief cases, cellular phones, loose change etc.

If you are a victim of an Entering Auto or Theft, please dial 911 as soon as possible to alert the police of the incident.

**Ways to possibly avoid becoming a victim of Theft:**

- ⇒ DO NOT leave valuables in the vehicle, whether at home or away
- ⇒ DO NOT leave your vehicle unsecured
- ⇒ REMOVE your GPS from the window, including the suction cup, then wipe the suction mark from the glass
- ⇒ DO NOT leave chargers plugged in, put in glove box; out of sight
- ⇒ Lock your vehicle when parked at all times
- ⇒ If you have to, place items securely in the trunk before you reach your destination. NEVER leave items visible in the car
- ⇒ Call 911 for any suspicious persons or vehicles in parking areas
- ⇒ Report all theft incidents to avoid others becoming future victims

**\*\*\* Remember if you don't inform the Police, the Police don't know what's happening in your neighborhood. \*\*\***

North Briarcliff Civic Association  
 2677 Flair Knoll Drive  
 Atlanta, GA 30345

PRESORTED  
 STANDARD  
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***Come to ANNUAL MEETING, Tuesday, Oct 20***

Autumn 2009

*If your mailing label is incorrect, please notify database@northbriarcliff.org or Harrison Rogers at 404-784-5400. The "or current resident" designation on the second address line is necessary to insure proper delivery of all newsletters.*

<p>Inside this newsletter ....</p> <p>ANNUAL MEETING ..... 1</p> <p>SAFETY ..... 2</p> <p>ZONING: PURE NIGHTCLUB ..... 3</p> <p>PARKS: MARY SCOTT PRESERVE ..... 4</p> <p>RE-IMAGINING SHALLOWFORD ..... 5</p> <p>DEKALB EMERGENCY SYSTEM..... 5</p> <p>PROPOSED BYLAWS MODIFICATION .... 6</p> <p>NBCA BOARD NOMINATIONS ..... 6</p> <p>MEMBERSHIP FORM..... 7</p> <p>SAFETY: THEFTS FROM VEHICLES ..... 7</p> <p>CALENDAR..... 8</p>	 <h2 style="margin: 0;">Community Calendar</h2>												
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*Signed articles in the newsletter do not necessarily reflect the views of the North Briarcliff Civic Association.*

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